

**UNITED STATES DISTRICT COURT
DISTRICT OF NEW MEXICO**

BOBBY FRANCIS LOWRY V,

Plaintiff,

v.

Civ No. 19-216 MV/GJF

NEW MEXICO DEPARTMENT OF
CORRECTIONS, et al.,

Defendants.

ORDER ADDRESSING MISCELLANEOUS MOTIONS

THIS MATTER is before the Court upon various *pro se* motions filed by Plaintiff in connection with his prisoner civil rights action [ECFs 7, 8, 9, 10]. Three of the motions [ECFs 7, 8, 10] address Plaintiff's *in forma pauperis* status. The Court previously granted leave to proceed *in forma pauperis* and ordered him to "make monthly payments of 20 percent of the preceding month's income credited to [his] account" until the entire filing fee of \$350 is paid. ECF 5 (quoting 28 U.S.C. § 1915(b)(2)). Plaintiff asks the Court to waive certain monthly payments based on financial hardship. The Court will grant the motions [ECFs 7, 8, 10] and excuse Plaintiff's prior nonpayment. Because Plaintiff was a prisoner at the time of his filing, however, he is nevertheless "required to pay the full amount of a filing fee" at a later time. 28 U.S.C. § 1915(b)(2).

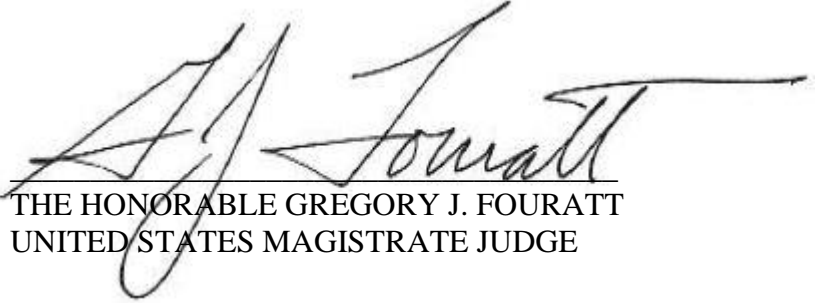
The remaining motion [ECF No. 9] seeks to supplement the Complaint with a copy of the New Mexico Corrections Department's policy on sex offender supervision. Because the Complaint has not been screened or served on Defendants, the Court will grant the motion and treat the document as an attachment to the Complaint. *See* Fed. R. Civ. P. 15(a) (allowing amendment as a matter of course when a pleading has not been served).

IT IS THEREFORE ORDERED that Plaintiff's motions to waive certain monthly

payments [ECFs 7, 8, 10] are **GRANTED**, but Plaintiff nevertheless remains obligated to pay the full \$350 fee at a later date.

IT IS FURTHER ORDERED that the Motion to Attach [ECF 9] is **GRANTED** and that the Clerk's Office shall **RELABEL** that docket entry as "Attachment to Complaint."

SO ORDERED.



THE HONORABLE GREGORY J. FOURATT
UNITED STATES MAGISTRATE JUDGE